

**RETURNABLE:
MARCH 28, 2017
@ 10:00 AM**

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
WESTCHESTER DIVISION

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In Re:

FIA 164 HOLDINGS LLC,

Chapter 7
Case No.: 16-20006 RDD

Debtor.

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**NOTICE OF MOTION TO VACATE
THE AUTOMATIC STAY**

PLEASE TAKE NOTICE that upon the annexed affirmation of Robert Nadel, Esq., an associate of Rosenberg Musso Weiner, LLP, counsel to Neighborhood Restore Housing Development Fund Corporation (“NR”), the undersigned will move this Court before the Hon. Robert D. Drain, United States Bankruptcy Judge at the United States Bankruptcy Court at 300 Quarropas Street, Courtroom 118, White Plains, New York 10601 on March 28, 2017 at 10:00 AM or as soon thereafter as counsel could be heard for an order vacating the automatic stay pursuant to 11 U.S.C. §362(d)(1) and 11 U.S.C. §362(d)(2) and further granting such other and further relief as is just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, must be served on the undersigned; and filed with the Court, with a copy to Chambers, at least seven (7) days prior to the return date of this motion. Parties with legal representation shall file with the Court:

(a) (i) through the Bankruptcy Court's electronic filing system (in accordance with General Order M-182), which may be accessed through the internet at <https://ecf.nysb.uscourts.gov> and (ii) in portable document format (PDF) using Adobe Exchange software for conversion; or (b) if a party is unable to file electronically, such party shall submit the response or objection in PDF format on a diskette in an envelope with the case name, case and adversary number, type and title of document: or (c) if a party is unable to file electronically or use PDF format, such party shall submit the response or objection on a diskette in either Word, Word Perfect, or DOS text (ASCII) format. A response or objection filed by a party with no legal representation shall comply with section (b) or (c) as set forth above.

Dated: Brooklyn, New York
December 30, 2016

ROSENBERG MUSSO WEINER LLP
Attorney for NR

By: /s/ Robert Nadel
By: Robert Nadel
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